

RENTON CITY COUNCIL  
Regular Meeting

September 28, 2009  
Monday, 7 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

Mayor Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF  
COUNCILMEMBERS**

RANDY CORMAN, Council President; MARCIE PALMER; DON PERSSON; KING PARKER; TERRIE BRIERE; GREG TAYLOR. MOVED BY TAYLOR, SECONDED BY CORMAN, COUNCIL EXCUSE ABSENT COUNCILMEMBER RICH ZWICKER. CARRIED.

**CITY STAFF IN ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; ALEX PIETSCH, Community and Economic Development Administrator; GREGG ZIMMERMAN, Public Works Administrator; IWEN WANG, Finance and Information Services Administrator; SUZANNE DALE ESTEY, Economic Development Director; FIRE AND EMERGENCY SERVICES ADMINISTRATOR I. DAVID DANIELS and EMERGENCY MANAGEMENT DIRECTOR DEBORAH NEEDHAM, Fire & Emergency Services Department; COMMANDER CHARLES KARLEWICZ, Police Department.

**PROCLAMATION**

Fire Prevention Week -  
October 4 to 10, 2009

A proclamation by Mayor Law was read declaring October 4 to 10, 2009, to be "Fire Prevention Week" in the City of Renton and encouraging all citizens to join in this special observance. MOVED BY TAYLOR, SECONDED BY CORMAN, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Fire Chief and Emergency Services Administrator I. David Daniels accepted the proclamation with appreciation. He remarked that when there are no more fires, there will no longer be a need for fire prevention week.

**SPECIAL PRESENTATION**

Fire: Citizen Recognition - Paul  
Bader

Chief Daniels presented Paul Bader, City resident and Community Emergency Response Team (CERT) member, the Fire and Emergency Services Department's Life Saver Certificate in honor of his heroic efforts on August 1, 2009, when he rescued two people whose vehicle had caught fire while traveling northbound on I-405. Chief Daniels reported that due to Mr. Bader's courageous efforts, two lives were saved and a disaster was prevented. Mr. Bader accepted the certificate with appreciation.

**PUBLIC MEETING**

Executive: Initiative 1033,  
Concerning State, County, and  
City Revenue

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public meeting to consider State Initiative Measure No. 1033 concerning state, county, and city revenue, which will appear on the November 2009 ballot.

Chief Administrative Officer Jay Covington announced that the City attempted to contact the proponents and opponents of Initiative 1033. He remarked that the proponents had not responded and one speaker who opposes the initiative is in attendance.

Mr. Covington reported that Initiative 1033 will appear on the November 3, 2009 ballot, and if approved by voters, would limit growth in county and city revenues deposited into the county and city current expense funds using 2009 as the base year. The initiative would cap the annual growth of state, county and city general funds at the rate of inflation plus population growth.

Revenue above the cap would be used to lower property taxes. Voters could also approve additional taxes over the cap.

Mr. Covington reported that supporters of I-1033 assert that voters should decide the rate that public sector should grow by putting a reasonable limit on the growth of government, and giving politicians the excuse to say 'no' to special interest groups and the courage to finally start prioritizing and reforming government. If the automatic increase allowed by I-1033 is not enough, government can use I-1033's safety valve and go to voters and ask for a bigger increase. I-1033 allows the state, counties, and cities to grow, but at a rate that citizens can control and taxpayers can afford, and at a sustainable rate that does not outpace taxpayers' ability to afford it.

Mr. Covington reported that opponents are concerned that the initiative will slow economic recovery by making recessionary revenues the new baseline, and that future recessions will further widen the gap. In addition, I-1033 does not distinguish among revenue derived from taxes, fees and charges deposited in to the general fund. It would mean that aggregate increases from these sources, in excess of inflation and population growth, would require deposit to the jurisdiction's lower property taxes account and result in no net change in the resources available to the local governments creating a disincentive to apply for grants, charge for contracted services, or foster economic development.

Mr. Covington reported that the State of Washington's Office of Financial Management (OFM) analysis has estimated the fiscal impact of this initiative to be at least an \$8.1 billion loss to the State general fund, \$3 billion to city general funds, and \$900 million to county general funds. The OFM's fiscal impact statement indicates that the "initiative would reduce state general fund revenues that support education; social, health and environmental services; and general government activities by an estimated \$5.9 billion by 2015. The initiative also reduces general fund revenues that support public safety, infrastructure and general government activities by an estimated \$694 million for counties and \$2.1 billion for cities by 2015."

Mr. Covington remarked that this initiative could potentially impact the City's history of partnering with the private sector for developing local improvements. He used The Landing as an example, noting that the City provided \$23 million in infrastructure investment with the idea that the increased sales tax revenues would be used to pay back the investment. He explained that this type of partnership could be hampered because any increases in sales taxes over the rate of inflation would potentially be diverted into a "lower property tax account." He commented that the City would have to go to the voters for approval of receiving revenues over and above inflation for virtually every economic development project.

Mr. Covington further explained that the City's zoning emphasizes greater density and the City would not want to allow that type of density if the initiative is approved because there would no longer be an ability to receive a return on investment. He cautioned that the City would also not want to reduce the zoning due to a possibility of an economic take lawsuit, leaving the City with the only option of requiring developers to pay for both the private and the public sector impacts of new development. He also questioned whether or not new development would occur under these conditions.

Public comment was invited.

Bill Taylor (Renton), President, Renton Chamber of Commerce, expressed opposition to Initiative 1033 and stated that the Chamber of Commerce's board voted unanimously to oppose the measure. Mr. Taylor remarked that if passed the initiative could result in the inability to fund education at its current level. He also stated that the Chamber of Commerce is concerned about the impact on economic development within Renton, noting that there would no longer be an incentive to foster new development. He encouraged Council to oppose the initiative, opining that it contains no redeeming features.

Chief Administrative Officer Covington stated that if approved, the effective date of the initiative would be retroactive to January 1, 2009, and though the exact amount the initiative would affect the City is uncertain, it is known that 2009 revenue rates are considered to be 20% below the historical average, and the OFM office analysis states that cities collectively would face a \$2.1 billion loss over the next six years.

There being no further public comment, it was MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY CORMAN, SECONDED BY TAYLOR, COUNCIL OPPOSE STATE INITIATIVE MEASURE NO. 1033. CARRIED. (See page 290 for resolution.)

#### AUDIENCE COMMENT

Citizen Comment: Cowan -  
Planning Commission Process  
& Procedures

John Cowan (Renton) stated that he has been involved with the Planning Commission over the past three years and feels that residents may not realize that the commission's ruling can be overturned by Council. He urged Council to follow the City of Bellevue's example of not overruling their Planning Commission and instead remand conflicted decisions back to the commission. He remarked that doing this would add credibility to the process and establish trust with citizens. He stated that overruling a decision without allowing the commission an opportunity to comment is unfair.

Discussion ensued regarding the seriousness of the Planning Commission's decisions, reasons why decisions were overturned in the past, and the current working relationship between Council and the Planning Commission.

#### CONSENT AGENDA

Items listed on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of  
9/21/2009

Approval of Council meeting minutes of 9/21/2009. Council concur.

CED: Supporting Seattle's  
2018/2022 FIFA World Cup™  
Hosting Bid

Community and Economic Development Department recommended adoption of a resolution supporting the City of Seattle's bid to host the 2018 or 2022 *Fédération Internationale de Football Association* (FIFA) World Cup™. Council concur. (See page 290 for resolution.)

MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

#### UNFINISHED BUSINESS Transportation (Aviation) Committee

Transportation: Rainier Av S  
(SR 167) S Grady Way to S 2nd  
St, KPG Inc

Transportation (Aviation) Committee Chair Palmer presented a report authorizing the Mayor and City Clerk to execute the Final Design and Right-of-Way Acquisition contract with KPG, Inc. for the Rainier Ave. S. (SR 167) S. Grady Way to S. 2nd St. project (TIP #3) in the amount of \$3,095,862. MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Lease: 540 Hangar Vacation,  
Pro-Flight Aviation

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to approve the addendum to Pro-Flight Aviation's lease, LAG-09-002, for the vacation of the 540 Hangar building, and to authorize the Mayor and City Clerk to sign the addendum. MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Finance Committee**

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 286852 - 287301 and one wire transfer totaling \$4,370,713.08; and approval of 197 Payroll Vouchers, one wire transfer, and 823 direct deposits totaling \$2,671,536.30. MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Public Works: Automated  
Fueling System, AssetWorks

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve a sole source contract with AssetWorks in the estimated project amount of \$180,000 to be paid from the Equipment Replacement Fund (501) for design and installation of a larger automated fueling system at Fire Station 13 and upgrades to the fueling system at the Maintenance Shops in order to create workforce efficiencies. The Committee further recommended that the Mayor and City Clerk be authorized to sign the contract. MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Lease: 200 Mill Building,  
Sound Publishing Termination  
& Medifacts International  
Occupancy

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to sign the Lease Agreement with Medifacts International and the Lease Termination Agreement and Release with Sound Publishing, Inc. (for space at the 200 Mill Building). MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Planning and Development  
Committee**

CED: Real Estate Sign Kiosk  
Pilot Program

Planning and Development Committee Chair Parker presented a report recommending concurrence in the staff recommendation to amend RMC 4-1-140.M.3 and 4-4-100.J.2 to establish a permit and fee for real estate sign kiosks and to create a new category of sign, the real estate kiosk sign, and authorize the Real Estate Sign Kiosk Pilot Program. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 290 for ordinance.)

CED: Housing Opportunity  
Fund Grant, Renton Housing  
Authority

Planning and Development Committee Chair Parker presented a report recommending concurrence in the staff recommendation that Council:

Approve the \$100,000 award from the Housing Opportunity Fund to the Renton Housing Authority to help support the development and construction of the proposed new Edmonds/Glenwood affordable housing project.

MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Vehicle Storage on  
Auto Repair Lots and  
Commercial Lots

Planning and Development Committee Chair Parker presented a report regarding vehicle storage on auto repair lots and commercial storage. After a briefing on current policy, the Committee recommended making no changes at this time. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Utilities Committee**

Attorney: Water Services  
Agreement, Water District #90

Utilities Committee Vice-Chair Parker presented a report recommending the proposed resolution authorizing the Mayor and City Clerk to execute the Interlocal Agreement with King County Water District #90 for provision of water service within the City be read and adopted. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See later this page for resolution.)

**RESOLUTIONS AND ORDINANCES****RESOLUTION #4015**

Executive: Opposing Initiative  
1033

A resolution of the City of Renton was read opposing State Measure Initiative No. 1033, concerning state, county, and city taxes. MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**RESOLUTION #4016**

CED: Supporting Seattle's  
2018/2022 FIFA World Cup™  
Hosting Bid

A resolution of the City of Renton was read supporting the City of Seattle in its proposal to host the 2018/2022 *Fédération Internationale De Football Association* (FIFA) World Cup™. MOVED BY TAYLOR, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**RESOLUTION #4017**

Attorney: Water Services  
Agreement, Water District #90

A resolution of the City of Renton was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with King County Water District #90 for provision of water service within the City. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the Council meeting of 10/5/2009 for second and final reading:

CED: Real Estate Sign Kiosk  
Pilot Program

An ordinance of the City of Renton was read amending Chapter 1, Administration and Enforcement; Chapter 4, City-Wide Property Development Standards; and Chapter 11, Definitions; of Title IV (Development Regulations) of City Code, to amend the regulations regarding sign permit fees, sign regulations and the definition of "Sign, Real Estate" by adding definitions for "Real Estate Sign Kiosk" and "Real Estate Sign Kiosk Directional Panel." MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 10/5/2009. CARRIED.

**NEW BUSINESS**

Council: Meeting Cancellation  
(10/12/2009)

Remarking that 10/12/2009 is an employee furlough day, it was MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL CANCEL THE 10/12/2009 COUNCIL MEETING. CARRIED.

**AUDIENCE COMMENT**

Citizen Comment: McOmber -  
Various

Howard McOmber (Renton) remarked that although the City has a fine Planning Commission, Council is ultimately responsible for making any final decisions. He also stated that he would normally be in favor of Initiative 1033, but acknowledged that the City must be able to maintain flexibility during these interesting economic times.

**ADJOURNMENT**

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADJOURN. CARRIED.  
Time: 7:46 p.m.

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Bonnie I. Walton, CMC, City Clerk